APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,557	03/10/2004	Myung-Jae Lee	PANKCL.012AUS	4405

20995 7590 01/28/2008
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EXAMINER
VO, TED T

ART UNIT	PAPER NUMBER
2191	

NOTIFICATION DATE	DELIVERY MODE
01/28/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
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PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)
	10/797,557	LEE, MYUNG-JAE
	Examiner	Art Unit	
	Ted T. Vo	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 March 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>3/10/04</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to communication filed on 03/10/2004.

Claims 1-5 are pending in the application.

Specification

2.   The specification of the present application is objected to.

The specification contains browser executable code such as hyperlinks. It requires removing hyperlinks

from the specification.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or
> in public use or on sale in this country, more than one year prior to the date of application for
> patent in the United States.

4.   Claim 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by IBM RedBook, "Linux for

S/360", 2000.

As per Claims 1: IBM discloses,

A method for implementing an embedded system for mobile communication, the method

comprising the steps of:

a) implementing a cross-development environment for a target system (i.e. Linux/ against IBM390);

b) implementing a network environment for communication between a host system and the target system (See p. 39: Any web server provides for Linux distribution to a target computer like IBM S390);

c) configuring a boot loader of the target system (See descriptions of using different boot loaders for the S390 ('target system') in p. 98, or see sec. 8.2, p. 168);

d) configuring a kernel of the target system, wherein the kernel is an embedded Linux kernel (See, IBM using YaST (p. 149-150) to configure the Linux kernel in its system); *and*

e) implementing a graphical user interface (GUI) environment for the target system (i.e. the YaST).

IBM method is guiding to install the Linux kernel in the S390, where in p. 5, IBM suggest its system support as in Figure 1, that includes mobile communication. Therefore, S390 acts like a server used for various computer systems including mobile communications.

As per Claims 2: IBM discloses,

The method as recited in claim 1, wherein the step a) includes the step of

a-1) performing an initial compilation of a gcc package using a gcc bootstrap compiler by a gcc bootstrap compiler, wherein the gcc bootstrap compiler has a function of preparing header file and libraries. See the boot IPL, in p. 98; this is mentioned in p. 77 for building a kernel at the boot time (and p. 89), i.e. it uses a compiler such as GNU, or GCC (See sec. 11.6.4, 11.6.5, 11.6.6, 11.6.7, starts at p. 244 to p. 250).

As per Claims 3: IBM discloses,

The method as recited in claim I, wherein, in the step b), communication between the host system and the target system is established based on a trivial file transfer protocol (TFTP) via an Ethernet (See p. 335).

As per Claims 4: IBM discloses,

The method as recited in claim 1, wherein, in the step c), the boot loader in the target system is

implemented by using a read only file system as as a root file system (See p. 169).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over IBM RedBook, "Linux for

S/360", 2000.

<u>As per Claims 5</u>: IBM discloses working with Linux-based system such as, RedHat, SuSE, TurboLinux, or

itself IBM S390. It inherently discloses that these distributors or the S390s are computer systems:

A Linux-based embedded system for mobile communication,

where these Linux-based systems, having *memory provides a storage place for a boot loader so that*

the system boots by means of loading the memory with a boot image and USB and Ethernet

provides an interface between a host and a target system.

It does not explicitly such computer devices of the Linux-based system,

comprises a central processing unit (CPU), a synchronous dynamic random access memory

(SDRAM), a flash memory, a universal serial bus (USB) slave, a joint test access group (JTAG), an

universal asynchronous receiver/transmitter (UART) and an Ethernet, wherein the memory

provides a storage place for a boot loader so that the system boots by means of loading the

memory with a boot image and USB and Ethernet provides an interface between a host and a

target system.

Official notice is taken that those elements recited in the claim 5 are standardized of a computer device,

It is obvious to ordinary in the art to include, because they are standard elements of a computer device.
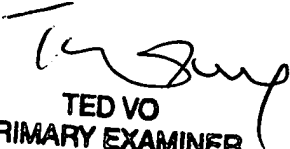
Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be

reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei

Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central

Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to

the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may

be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for

unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTV
January 18, 2008

TED VO
PRIMARY EXAMINER